

**Resolution of the  
City of Millville Planning Board**

**Application No. 31-2025PB**

**RESOLUTION NO. 46-2025PB**

**WHEREAS**, Second Street Real Estate, LLC, submitted an Application to the City of Millville Planning Board seeking Preliminary and Final Major Site Plan approval for the operation of a cannabis dispensary business with respect to the property identified on the Official Tax Map for the City of Millville as Block 290, Lot 1, which is more commonly known as 901 N. Second Street in the City of Millville, Cumberland County, New Jersey; and

**WHEREAS**, the site is located in the Highway Commercial (HC) zone; and

**WHEREAS**, with respect to the completeness of the Application submissions, the Board's Engineer and Planner recommended that the Application be deemed complete for review. Based upon the submissions and the recommendation of the Board's professional consultants, the Board voted affirmatively to deem the Application complete; and

**WHEREAS**, the Application was considered by the Board at a hearing conducted in the course of one session which occurred on December 8, 2025, during which the following documents and submissions were presented:

1. **Submissions and Testimony of Record at the Hearing.** In reaching its decision, the Board relied on the submissions, Exhibits, and witness testimony identified below:

a. *The Applicant's submissions:*

- Cover Letter prepared by Matthew J. Robinson, Esq. dated 11-3-25
- City of Millville Development Application Form, dated 11-3-25
- City of Millville Planning Board Development Application Checklist
- Acknowledgement of Water/Sewer Connection Fees, dated 11-3-25
- City of Millville Resolution No. 254-2025
- Floor Plan
- Narrative on Proposed Site Changes, Operations and Signage
- ALTA/NSPS Land Title Survey prepared by NV5, dated 11-19-25, 2 sheets
- Site Plan, by Stephen J. Nardelli, PE PP for Fralinger Engineering PA, dated 10-27-25, revised 11-14-25

b. *Reports from the Board's professionals and staff:*

- Engineering and Planning Report, by the City of Millville, dated 12-2-25

c. *Exhibits:* The following Exhibits were marked at the hearing and entered into evidence: None.

d. *Testimony and comments by the Applicant's professional consultants:*

The Applicant's counsel, Matthew Robinson, Esq. provided a summary of the Application which seeks Preliminary and Final Major Site Plan approval for the proposed retail cannabis operation. Mr. Robinson summarized the anticipated testimony, noting that the site will meet the conditions as required by the Ordinance. He provided a summary of the history of the use of the former bank building which has been vacant for some time and that the Applicant will demonstrate that the building is particularly suited for the proposed retail use with parking, circulation, security features to be described.

Steven Nardelli, P.E. was sworn and accepted as an expert in civil engineering and site design and summarized the Site design for the proposed retail cannabis operation. He testified that no significant changes were proposed for the site and described the site's access, circulation from 3rd Street and access from G Street. The site has ample parking for the proposed use and he described the lighting proposed, stating that the lighting plan meets the requirements of the city's Ordinance. With respect to landscaping, he testified that landscaping will be enhanced to replace trees and enhance the appearance of the site. Mr. Nardelli noted that no bulk variances were required for the development of the site.

Hugh O'Beirne was sworn and described his role as a licensee for the business, the Vault dispensary for a Class 5 retail dispensary and testified that the Applicant is a veteran-owned business. Mr. O'Beirne described the respective roles of the witnesses, noting that Forest Hull is the CFO and that Mr. O'Beirne performs the compliance work. Mr. O'Beirne described the status of the license within the licensure process. He testified that the Applicant is seeking annual licensure from the State and has already received the Resolution of support from the City of Millville. CRC licensure is required to be maintained and governs their operations. The Applicant acknowledged that they must maintain their cannabis license and comply with all State CRC regulations. There was a discussion that the as a cannabis retailer, the Applicant must provide the City with reports as to the sale of the product for the tax calculation as required by the City's Ordinance and it was requested to provide City with a copy of all reports submitted to State CRC relating to the volume of cannabis sold. Mr. O'Beirne described the number of employees to be on site and their functions.

Forest Hull, CFO of the Applicant corporation, was sworn and provided testimony as to the number of employees on the site and the staffing, stating there will be between 15-25 employees initially, that they will work in 2 shifts and that the hours of operation are consistent with the hours permitted under the City's Ordinance for hours on Monday-Sunday, from 10a-10pm. He testified that he has experience handling cannabis businesses prior to this business and that in planning the design, the site was tailored to the needs of the client and consistent with the industry standards. The Applicant anticipates having between 75-100 customers per day.

Mr. O'Beirne was recalled and testified relating to traffic and the deliveries made of inventory for product, which occurs several times per week to the "employee only" secured area, so that the delivery of product is kept separate from the areas where the customers have access, which is consistent with CRC requirements. The shipments are received in smaller van. The products must be stored consistent with CRC requirements for storage. The product delivered is

“retail ready,” labelled and there is no need to process or prepare the product prior to sale. There was a discussion that on-site consumption of the cannabis products is not permitted under the City’s Ordinance and would not be permitted for this dispensary. He testified that the Applicant’s security plan has to be approved by CRC and there is security and lighting for the site, which is submitted to the City’s Police Chief for his review and comment. There was a discussion that the construction office will approve the construction, and applicant is required to obtain all required permits and pass all inspections to ensure conformance with Building Codes and subcodes. Mr. O’Beirne described the screening process as part of the security procedure. In response to an inquiry, he stated that the Applicant will provide the City with access to its video surveillance system if requested for law enforcement purposes or if the City requests to view footage.

Mr. O’Beirne described customer’s purchasing experience in the dispensary, which is a controlled process that does not permit direct access to product. He described the ability of customers to purchase products by using bank cards so that the transactions are traceable and stated that the use of bank cards is more prevalent than cash transactions, that 70% of purchases are made by bank cards. The deposits of cash will be made by bank accepting the funds and the Applicant’s bank picks up the cash via secure transportation service which delivers the funds directly to the federal reserve.

With respect to noise, dust, or fumes generated by the site, the Applicant is subject to and must comply with all CRC requirements including for site ventilation. He testified that the dispensary is similar to a pharmacy in terms of the level of security, that no noise or dust is generated, that no odors are emitted from the products which are contained within vacuum-sealed packet, so no carbon filters are required for this dispensary. As to the Utility needs and consumption, he testified that the level of service the site is adequate noting that as a dispensary, there is much less use of water, only for toilet and handwashing on the site and that standard power is available for the lighting, cameras and computers. As to trash, he described the typical retail waste generated, that the site will provide for removal of its trash and recycling through a private hauler. The Applicant agreed to submit its recycling reports as required by the City’s Ordinance. As to the trash and recycling, if they have cannabis waste, it is very small amount, but the dispensary must meet the State’s CRC requirements for disposal of cannabis waste.

As to Signage, the Applicant will meet State CRC requirements, and the signs will be the same size and style as the prior bank on site. Mr. Robinson confirmed that no bulk variance relief was sought for signage, so if the signage requested does not comply with the City’s sign ordinance, they will have to return to the Board to seek relief. There are no plans for expansion of the site and will have to comply with standards of the zone. Mr. Hull confirmed that the Applicant will use the same design as depicted in the narrative.

Mr. Nardelli addressed the comments in the Engineering and Planning review letter, stating that NJ DOT approval is not required for the project and that the Site Plan is considered a “Major” Site Plan simply due to the location of the property being on a State highway.

In response to an inquiry, the Applicant acknowledged that it would comply with the City’s Ordinance relating to providing recycling reports.

*e. Questions by the Board:*

Mr. Carll asked about how deliveries are made and Mr. O’Beirne responded describing the process and that their staff is trained, licensed by the CRC and deliveries must meet CRC requirements.

*f. Public comment.* The following comments were submitted to the Board on this Application by members of the public:

Tamara Davis of Millville commented on the delivery of the items and the clearance from the side door. Mr. Hull responded that the distance is approximately 41 ft. from the door. Mr. Robinson noted that the Applicant’s customers will be able to use the drive-through feature which is permitted by State CRC. He noted that the drive through service is limited to online, pre-paid transactions with verification of the identification of the purchaser. Mr. O’Beirne noted that the drive-through service is more efficient and that its use is similar to pharmacy drive through. Ms. Davis asked about the use of the downstairs basement area. The Applicant’s professionals responded that the design includes having the bank vault retained as a security feature.

Paul Porreca of 2406 W. Main Street commented about the number of pedestrians versus vehicular traffic to the site and commented that people spill trash along the sidewalk as they walk and stated that there is loitering in this area of the City. Mr. O’Beirne stated that they do not permit people to “hang out” on their site.

Mr. Manpreet Singh of 815 N. High Street asked if the Applicant is going to have other products aside from cannabis. Mr. O’Beirne responded that no hemp or other products which are part of the CRC would be sold and added that their license does not permit them to also sell tobacco, alcohol, food or coffee, but they may sell accessories such as rolling papers, glassware, t-shirts and hats.

*f. Comments by the Board’s Professional consultants:*

Ms. Nothaft commented on the existing parking, that the lot will need to be resealed and restriped and that the Applicant will need to add landscaping.

Ms. Fegley asked if the security personnel on site are going to be armed and the Applicant responded in the negative.

There was a discussion that the site’s operations and features are subject to State CRC approval and comply with the requirements for reporting sales receipts and payment of the City’s Ordinance on cannabis taxes, which are in addition to property taxes. It was noted that the proposed use of the site is for new, non-residential improvement to the property such that under the applicable City Ordinance and State statute, the Applicant is required to make a contribution to the City’s Affordable Housing Trust Fund in the amount of 2.5% of the equalized, assessed value of the improvements made. The Solicitor also noted that the Applicant will be required to comply with the City’s Ordinances and obtain all required permits for construction and to pass all inspections of the construction. In addition, it was noted that the Applicant will be required to

comply with the City's Ordinances relating to submitting regular reports to meet the requirements for the local and State cannabis dispensary taxes, including providing the City with a copy of all reports submitted to the State. It was noted that the Applicant is required to maintain its license in good standing with the State CRC as an authorized cannabis dispensary.

*g. Specific conditions agreed to by the Applicant at the hearing: The Applicant agreed to the following revisions to the design plan and the following conditions for approval, all of which were material to the Board's determination:*

1. As a condition of approval, the Applicant is required to make all changes to the Major Site Plan documents submitted consistent with the Engineering and Planning Review letter dated December 2, 2025 and as stated at the hearing.
2. As a condition of approval, the Applicant is required to make changes to the existing parking lot which has to be resealed, restriped
3. As a condition of approval, the Applicant agreed to work with the Board's Professional Planner to add landscaping to the site as described at the hearing.
4. As a condition of approval, the Applicant is required to retain its license and comply with all applicable Ordinances or regulations in the City's Code and State CRC's requirements for retention of its license, including reporting requirements to the State.
5. If the site requires a disposal service, the Applicant acknowledged that it will be required to comply with the City's and State CRC's requirements for disposal of trash, recyclables and cannabis waste by-products.
6. As a condition of approval, the Applicant will retain video footage of surveillance consistent with the requirements of the State CRC.
7. As a condition of approval, the Applicant will provide the Police Chief with its security plan for review and comment, with the proviso that if there is a discrepancy or difference in security features approved, the Applicant is required to obtain approval of its security plan and comply with the CRC's requirements and standards for security and other features regulated by the State CRC.
8. The Applicant acknowledged that as a cannabis business license holder, the owner must comply with the State's regulations for odor control, security, lighting and operations, including the limitation on the amount of cannabis produced, number of employees and square footage of the site.
9. The proposed development of the lot is for a new, non-residential improvements such that under the applicable City Ordinance and State statute, the Applicant is required to contribute to the City's Affordable Housing Trust Fund in the amount of 2.5% of the equalized, assessed value of the improvements made.
10. As a condition of approval, the Applicant will be required to comply with the City's Ordinances and obtain all required permits for the proposed construction and to pass all inspections of the construction.
11. As a condition of approval, the Applicant will be required to comply with the City's Ordinances relating to submitting regular reports to meet the requirements for the local and State cannabis cultivator taxes, including providing the City with a copy of all reports submitted to the State.
12. As a condition of approval, the Applicant is required to maintain its license in good standing with the State CRC as an authorized cannabis dispensary.

## **Findings; Determination.**

1. The Applicant, Second Street Real Estate, LLC, submitted an Application to the City of Millville Planning Board seeking Preliminary and Final Major Site Plan approval for the proposed operation of a cannabis dispensary business with on the property identified on the Official Tax Map for the City of Millville as Block 290, Lot 1, which is more commonly known as 901 N. Second Street in the City of Millville.

2. The site is located in the Highway Commercial (HC) zone.

3. The Board deemed the Application complete by affirmative vote of the Board.

4. The Application was presented during the course of one session which occurred on December 8, 2025.

5. The Board reviewed the documents submitted by the Applicant, heard the testimony presented and found that the Applicant presented credible and persuasive evidence for the Board to find that the Applicant met the burden of proof for Preliminary and Final Major Site Plan approval, noting that no bulk variance relief was requested or required for the Application.

**NOW, THEREFORE, BE IT RESOLVED** that based upon the record as summarized herein and the findings by the City of Millville Planning Board that the Application of Second Street Real Estate, LLC,, for Preliminary and Final Major Site Plan approval as to the property identified on the Official Tax Map of the City of Millville as Block 290, Lot 1, which is more commonly known as 901 N. Second Street is hereby **GRANTED** subject to the following specific conditions as set forth on the record at the hearing and as summarized herein and is also subject to the following specific conditions as set forth on the record at the hearing and as summarized herein, specifically:

1. The Applicant agrees to satisfy the conditions outlined within the Board Professionals' review letters as described herein, unless otherwise satisfied through testimony or modified during the hearing and as set forth in Section 1g #1-12, Planning and Engineering Comments as to outside agency approvals, Engineering Comments #1 and 2 relating to additional plan details.

2. The Applicant agreed to comply with all other conditions as may be required by the Board, with respect to required approvals by other agencies with jurisdiction, payment of all required fees, submission of plans, conformance of plans, and timely payment/replenishment of the Applicant's escrow account.

3. As a condition of approval, the Applicant acknowledged that it will be required to obtain all required approvals, make all required revisions and add information or notes to final drawings or plans and obtain required approvals, and must conform with all other Code requirements and pay all required fees for permits, pass all required inspections, pay all required assessments, and property taxes and/or applicable taxes relating to the operation of a cannabis facility.

4. The Applicant has submitted certain plans, drawings, rules, depictions, written summaries, concept plans, surveys, elevation plans and other tangible things or documents that were accepted by the Planning Board as part of its Application. Further, its representatives and/or witnesses have made certain representations, provided testimony, agreed to modifications to the plans, drawing and other features, all of which were made at the public hearing on the Application, all of which have been relied upon by the Planning Board in making its findings and determinations. Should there be any material deviation from said documents, plans,

representations, agreements made, the testimony presented, the modifications to be made, modifications agreed to or modifications to any of the conditions contained herein and/or otherwise agreed to, then the failure to comply with those representations, changes and/or agreements shall be deemed a violation of the approvals granted and the Planning Board may, upon notice to the Applicant and an opportunity to be heard, elect to rescind its approval.

5. As a condition to this approval applicant is required to comply with its fees for inspections and the escrow agreement, if any, with the City of Millville for the payment of the Board’s professional consultants. No plan shall be processed, no certificate of occupancy shall be granted, and no permit issued unless and until all outstanding professional fees and taxes are paid, including the Affordable Housing contributions, and an appropriate escrow deposit created to pay for future sums due. The Applicant agrees to promptly pay any professional staff fees billed, in excess of the required application escrows, or file a written protest with the City Business Administrator within seven (7) days of receipt of a final voucher from the City.

6. Any improvement(s) to be constructed as a result of the Board approving this application shall be constructed and operated in full compliance with the Uniform Construction Code, the Code, the Revised Statutes of the State of New Jersey, and any other applicable state, county, and/or federal law. The Applicant/owner is responsible for obtaining all zoning and/or building permits and approvals necessary to construct the project/development and the various improvements, including any permits for the erection of a sign. The Applicant shall obtain all required approvals from any other county, state, or municipal agency having jurisdiction over the application, including, to the extent applicable: (a) the Cumberland County Soil and Water Conservation District; (b) City of Millville Department of Public Works; (c) Cumberland County Health Department; (d) Cumberland County Planning Board; (e) NJDEP - Treatment Works Approval; and (f) State of New Jersey, including the Cannabis Regulatory Commission.

7. These General Conditions of Approval, and any additional conditions of approval, if any, shall be binding upon the applicant, the owner, and any successors and/or assigns of them.

**ROLL CALL**

MEMBER	Motion	2nd	YEA	NAY	ABSENT	RECUSED
Stephen R. Dupnock						
Mayor Dan Dixon						
Commissioner Carole Cossaboon						
Kristine Garton						
Larry Malone						
Jared Carll						
Nicholas Makos						
Vacant, Class IV						
Vacant, Class IV						
Vacant, Alt. I						
Vacant, Alt. II						

CERTIFICATION

I, Dawn Grossman, Secretary of the Planning Board for the City of Millville, Cumberland County and State of New Jersey, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the said Board at a meeting held at the City Hall, 12 S. High Street in Millville, NJ 08332 on the 8th day December, 2025 as memorialized by the Resolution adopted by the Planning Board at its meeting held on January 12, 2026.

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DAWN GROSSMAN, SECRETARY  
CITY OF MILLVILLE PLANNING BOARD

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, CHAIRPERSON